IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.9836 OF 2003

Shri Anil Ramchandra Buddhe : Petitioner

V/s.

State of Maharashtra & Ors. : Respondents

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Mr.G.N.Salunkhe i/b. Mr.P.A. Pol for the petitioner.

Mr.A.A. Garge, Asstt. Govt. Pleader for respondent nos.1 to 3.

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CORAM : S.A. BOBDE, J.

March 17, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Garge, learned Asstt. Govt. Pleader, waives service of rule on behalf of respondent nos.1 to 3.

Heard by consent.

2. The petitioner has challenged the order of the revisional authority, Deputy Commissioner (Supply), Pune Division, Pune, in revision application. By the impugned order, the revisional authority has cancelled the grant of fair price shop in favour of the petitioner on the ground

that the petitioner was not qualified on the date of the application. The revisional authority has found that the last date was 17.3.2003. The petitioner applied in the category of "educated unemployed" which requires registration with the Employment Exchange. The authority has found that the petitioner was registered with the Employment Exchange on 27.3.2003. On this ground, he has been held to be not qualified.

3. The other applicant has also been held to be not qualified. Therefore, the Deputy Commissioner has directed the licensing authority to re-advertise the fair-price shop and make the allotment thereafter.

4. The learned counsel for the petitioner submitted that the petitioner’s date of registration with the Employment Exchange was 13.8.1996. This fact is denied by the respondents in their affidavit-in-reply. Clearly there is no proof that the petitioner was registered on 13.8.1996 with the Employment Exchange. Hence, there is no merit in the Writ Petition which is hereby dismissed.

Sd/-

S.A. BOBDE, J.